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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/624,015	07/21/2003	Zhong Jin Yang	LUC-425/Yang 20-11	5717
32205	7590	05/16/2005	EXAMINER	
PATTI & BRILL ONE NORTH LASALLE STREET 44TH FLOOR CHICAGO, IL 60602			PHAN, HUY Q	
			ART UNIT	PAPER NUMBER
			2687	

DATE MAILED: 05/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/624,015

Applicant(s)

YANG ET AL.

Examiner

Huy Q Phan

Art Unit

2687

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 21 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-6 are rejected under 35 U.S.C. 102(e) as being anticipated by Jiang et al. (US-2004/0120494).

Regarding claim 1, Jiang et al. disclose an automated method ("software made"; see [0005]) for correlating call data associated with one call from separate call records associated with the calling and called parties in which at least one of the parties is a wireless user in a wireless telecommunication network (fig. 1 and its description) comprising the steps of:

accessing a first call record associated with one of the calling and called parties for a first call ([0028], for more details see [0021]-[0027]);

ascertaining the identity of the other of the calling and called parties (fig. 1, user 110) from the first call record ("a database look up for user 110"; see [0030]);

determining if the one party (fig. 1, user 108) subscribes to a first feature (see [0028]; in order to determine that "the user 108 is the service subscriber");

accessing a second call record associated with the other of the calling and called parties for the first call ([0030], for more details see [0021]-[0027]);

determining if the other party (fig. 1, user 110) subscribes to a predetermined feature [0030];

determining if a predetermined correlation exists for the first call based on whether the one party subscribes to the first feature and the other party subscribes to the predetermined feature ([0031]-[0036]).

Regarding claim 2, Jiang et al. disclose the automated method according to claim 1 (see fig.1 and its description) wherein the first call record is stored at a first location associated with a first switch (fig. 1, MSC 102) that supports the one of the calling (fig. 1, user 108) and called parties, and the second call record is stored at a second location associated with a second switch (fig. 1, MSC 106) that supports the other of the calling and called parties (fig. 1, user 110).

Regarding claim 3, Jiang et al. disclose the automated method according to claim 2 wherein the first call record is maintained separately from and independent of the second call record [0021].

Regarding claim 4, Jiang et al. disclose the automated method according to claim 1 wherein the step of accessing the second call record comprises transmitting a query from a correlation measurement node to another node in which the second call record is

stored ([0021]-[0027]; also see [0042]-[0046]).

Regarding claim 5, Jiang et al. disclose the automated method according to claim 4 wherein the step of determining if the other party subscribes to the predetermined feature comprises receiving a reply message at the correlation measurement node in response to said query of the another node, the reply message containing data indicating whether the other party subscribes to the predetermined feature (see [0031]; "send a message to SCP 114"; also see fig.1 and its description).

Regarding claim 6, Jiang et al. disclose the automated method according to claim 4 wherein the step of determining if the other party subscribes to the predetermined feature comprises receiving a reply message at the correlation measurement node in response to said query of the another node, the reply message indicating that information is not currently available as to whether the other party subscribed to the predetermined feature [0003], the step of accessing the second call record further comprising transmitting another query from the correlation measurement node to a database that stores information on features subscribed to by wireless users (see fig.1 and its description), receiving another reply message at the correlation measurement node in response to the another query ([0021]-[0027]; also see [0042]-[0046]), the another reply message containing data indicating whether the other party subscribes to the predetermined feature (see [0031]; "send a message to SCP 114"; also see fig.1 and its description).

***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Jiang et al. (US-2004/0120494) in view of Petrakos et al. (US-2001/0053706).

Regarding claim 7, Jiang et al. disclose the automated method according to claim

1. But, Jiang et al. do not particularly show wherein the step of determining if a predetermined correlation exists comprises determining if both of the following conditions are true: the first party subscribed to the first feature at the time of the first call; and the second party subscribed to the predetermined feature at the time of the first call. However in analogous art, Petrakos et al. teach wherein the step of determining if a predetermined correlation exists comprises determining if both of the following conditions are true: the first party subscribed to the first feature at the time of the first call ([0024], for more details see figs. 1-4 and their descriptions); and the second party subscribed to the predetermined feature at the time of the first call ([0028], for more details see figs. 1-4 and their descriptions). Since, Jiang et al. and Petrakos et al. are related to the communication network; therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system

of Jiang et al. as taught by Petrakos et al. for purpose of allowing advantageously the system with capability in processing the signal information for determining the billing, available service and service control procedure.

4. Claims 8-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Elliott et al. (US-5,768,352) in view of Jiang et al. (US-2004/0120494).

Regarding claim 8, Elliott et al. disclose an automated method ("computer processing system"; see col. 1, lines 13-16) for obtaining statistical information based on calls in a telecommunication network (fig. 2 and its description) comprising the steps of:

determining for one call if a first user (fig. 2, user 10) subscribes to a first predetermined call feature ("800 and 900 number" see col. 3, lines 26-51 and fig. 6, lines 52-65);

determining for the one call if a second user subscribes to a second predetermined call feature (col. 3, line 66-col. 4, line 4);

repeating the above steps for other calls (col. 3, line 52-col. 4, line 4);

maintaining a count of the calls in which both of the above determining steps are true and comparing said count with the total number of calls to generate said statistical information (col. 3, line 52-col. 4, line 4). But, Elliott et al. do not particularly show the automated method for a wireless telecommunication network and determining for one call if a first wireless user subscribes to a first predetermined call feature. However in analogous art, Jiang et al. teach the automated method ("software made"; see [0005])

for a wireless telecommunication network (fig. 1 and its description) and determining for one call if a first wireless user (fig. 1, mobile user 108) subscribes to a first predetermined call feature (see [0028]; in order to determine that “the user 108 is the service subscriber”). Since, Elliott et al. and Jiang et al. are related to the communication network; therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Elliott et al. as taught by Jiang et al. for purpose of offering advantageously the wireless technology into the communication system.

Regarding claim 9, Elliott et al. and Jiang et al. disclose the automated method according to claim 8. Elliott et al. further disclose wherein the step of determining for one call if the first user (fig. 2, user 10) subscribes to the first predetermined call feature comprises obtaining information from a first call record (“CDR data” see col. 2, lines 3-14) corresponding to the one call by the first user (fig. 2 and its description), and wherein the step of determining for the one call if the second user (fig. 2, user 12) subscribes to the second predetermined call feature comprises obtaining information from a second call record (“CDR data” see col. 2, lines 3-14) corresponding to the one call by the second user (fig. 2 and its description).

Regarding claim 10, Elliott et al. and Jiang et al. disclose the automated method according to claim 9. Elliott et al. further disclose automated method according to claim 9 wherein the second call record is maintained (fig. 2, switch 16) separate from and

independent of the first call record (fig. 2, switch 14).

Regarding claim 11, Elliott et al. and Jiang et al. disclose the automated method according to claim 9. Jiang et al. further disclose wherein the step of determining for the one call if the second user subscribes to the second predetermined call feature comprises transmitting a query from a correlation measurement node to another node in which the second call record is stored ([0021]-[0027]; also see [0042]-[0046]).

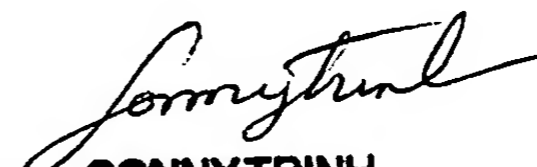
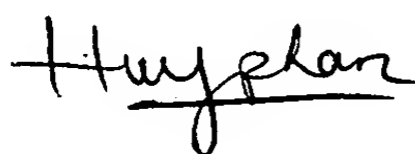
Regarding claim 12, Elliott et al. and Jiang et al. disclose the automated method according to claim 11. Jiang et al. further disclose wherein the step of determining for the one call if the second user subscribes to the second predetermined call feature comprises receiving a reply message at the correlation measurement node in response to said query of the another node, the reply message containing data indicating whether the second party subscribes to the second predetermined feature (see [0031]; "send a message to SCP 114"; also see fig.1 and its description).

### ***Conclusion***

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Huy Q Phan whose telephone number is 571-272-7924. The examiner can normally be reached on 8AM-6PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kincaid G Lester can be reached on 571-272-7922. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
**SONNY TRINH**  
**PRIMARY EXAMINER**

Examiner: Phan, Huy Q.

AU: 2687

Date: May. 05, 2005